

**REMARKS****The Examiner's Restriction Requirement**

Applicants hereby elect, with traverse, Group 1 with Claims 1-4 and 6-14 directed to a web material. Claim 5 has been cancelled. The Examiner asserts that "as a longitudinal expansion means and a tearable expansion obstruction, does not provide a contribution over the prior art, and no single general inventive concept exists" a restriction requirement is appropriate. Applicants maintain that a single general inventive concept does exist and retain the right to prosecute Claim 15 at a later date.

**The Examiner's 35 USC § 112 Rejections**

The Examiner has rejected Claims 1-14 under 35 USC § 112 because claims are:

"merely setting forth physical characteristics desired in an article, and not setting forth specific compositions which would meet such characteristics, are invalid as vague, indefinite, and functional since they cover any conceivable combination of ingredients either presently existing of which might be discovered in the future which would impart the desired characteristics."

Following amendment of Claim 1, the composition of the web is further defined.

The Examiner asserts that Claim 5 is indefinite as Claims 4 and 5 are identical in content. The Examiner is correct. Claim 5 has been cancelled above.

With regard to the Examiner's objection to the term "tearable expansion obstruction means" as not performing a specific function, Applicant traverses this assertion. The "means" performs the function of "expansion obstruction". Because the means is tearable does not negate its function in originally obstructing the expansion.

**The Examiner's 35 USC § 102/103 Rejections over Schultz**

The Examiner rejects claims 1-14 as being anticipated by or, in the alternative, as obvious over Schultz ( US 2,474,124).

The instant application discloses web materials having longitudinal dimensions substantially larger than their transverse dimensions and at least one longitudinal expansion means characterized as disclosed in the specification and claims. The webs are tissue webs, non-woven webs, films or foams. In a preferred embodiment, the web material of the present invention additionally comprises at least one tearable expansion obstruction means.

Schultz discloses a shock absorbing device for coupling shroud lines of a parachute to body harness comprising a first folded flexible equalizing leader of non-elongatable material ,

means for normally retaining the leader folded, a second flexible leader of shock-absorbing elongatable non-elastic material longitudinally adjacent said first leader. The first and second leaders are of substantially equal length to the first leader when folded. The auxiliary leader is held in gathered condition by a frangible fastener.

As defined in the instant specification, “web material” refers to a sheetlike material or to a composite for laminate comprising two or more sheet-like materials. As amended, the webs, which are claimed, are tissue webs, non-woven webs, films or foams and their laminates. The auxiliary leader of the cited “shock-absorbing device” is a “cotton or silken cord”. Cords would not be considered “sheet-like” by those of skill in the art, nor would webs be considered a substitute for cords, particularly in parachute leaders. Therefore, the basic structure of the instant webs and the cited auxiliary leaders are distinct and the citation does not anticipate the instant invention.

With regard to the both the anticipation and obviousness objections, Schultz, which discloses a shock-absorbing device for a parachute, is not art analogous to the discontinuously expanding webs of the instant application. As stated *In re Wood*, 599 F.2d 1032,1036 202 USPQ 171,174...197,

“The determination that a reference is from a nonanalogous art is therefore two-fold. First we decide if a reference is within the field of the inventor’s endeavor. If it is not, we proceed to determine whether the reference is reasonably pertinent to the particular problem with which the inventor was involved.”

As the Schultz reference would be classified as either a “shock absorber” or in the parachute art, the reference is not in the inventor’s “field of endeavor”. Further, the purpose of the gathering of the Schultz auxiliary leader and the frangible fastener which holds the auxiliary leader in place, is stated at column 3, lines 43-45 of Schultz as follows: “This gathering of the auxiliary leader prevents any fouling during the opening operation.” The purpose of the discontinuously expanding web materials of the instant application is stated at page 1, lines 17-21:

“These web materials are especially useful when they are attached to elements of varying size of position. The expandability of the web material allows them to adapt to the new size of position of the element they are attached to.”

Therefore, the stated purposes of the citation and the instant invention are different. The Schultz reference, then, is not art, which is analogous to that of the instant application.

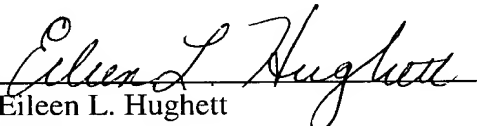
**CONCLUSION**

For the foregoing reasons, Applicants respectfully submit that the applied reference does not disclose or render obvious amended claims 1-4 and 6-14. In addition, the Examiner's 35 USC §112 rejections should be obviated by the amendments and remarks below. Accordingly, favorable reconsideration of claims 1-4 and 6-14 is earnestly solicited in the form of a Notice of Allowance.

Should any issues impeding continuing examination of this Application remain, the Examiner is encouraged to contact the undersigned by telephone at the earliest possible date to achieve a timely resolution.

Respectfully submitted

FOR: CHRISTOFER FUCHS ET AL.

By   
Eileen L. Hughett  
Registered U.S. Patent Agent  
Registration Number 34,352  
Telephone (513) 626-2127  
FAX (513) 626-3499

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Customer No. 27752

**Version with markings to show changes made**

Please amend Claim 1 to read as follows:

1. (Amended) A web material having  
a longitudinal dimension and a transverse dimension substantially smaller than said longitudinal dimension  
at least one longitudinal expansion means characterized in that the Relative Expansion Tension Reduction is at least 50% when said web material is submitted to the Discontinuous Expansion Test  
wherein said web is selected from tissue webs, non-woven webs, films and foams and laminates thereof.

Please cancel Claim 5.